

**IN THE UNITED STATE DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

LOLITA PENNINGTON, INDIVIDUALLY
AND AS REPRESENTATIVE OF THE
ESTATE AND WRONGFUL DEATH
BENEFICIARIES OF ANDRIANA HALL,
ANDRE LAMONT HALL,
ASHLEY HALL, EBONI DABNEY, and
SANDRA DABNEY, AS NEXT FRIEND
TO J.J.D. AND J.R.D., MINORS

Plaintiffs,

v.

Civil Action Number: 3:16-cv248-NBB-JMV

SHARANJIT PARMAR,
PARMAR TRUCKLINES,
UPS GROUND FREIGHT INC
A/K/A UNITED PARCEL SERVICE,

Defendants.

PLAINTIFF'S DESIGNATION OF EXPERT WITNESSES

To: Defendant, UPS GROUND FREIGHT INC. A/K/A UNITED PARCEL SERVICE, through its attorneys of record, Robert A. Cox and Ronna D. Kinsella with Glassman, Wyatt, Tittle & Cox, P.C. located at 26 N. Second Street, Memphis, TN 38103, and Jonathan R. Friedman and Philip Shane O'Neill of Weinberg Wheeler Hudgins Gunn & Dial, located at 3344 Peachtree Road, Suite 2400, Atlanta, GA 30326.

Defendant, SHARANJIT PARMAR and PARMAR TRUCKLINES, through their attorneys of record, James M. Simpson and James B. Summers of Allen, Summers, Simpson, Lillie & Gresham, PLLC, 80 Monroe Avenue, Suite 650, Memphis Tennessee 38103.

In accordance with Federal Rule of Civil Procedure 26(a)(2), Plaintiffs hereby respectfully serve this Designation of Expert Witnesses to Defendants Sharanjit



Parmar, Parmar Trucklines, and UPS Ground Freight Inc, a/k/a United Parcel Service.

Respectfully submitted,

The TRACY firm

/s Stewart D. Matthews
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of November, 2017, I caused to be served a true and correct copy of the foregoing document to all counsel of record via certified mail and/or by another manner as authorized by the Federal Rules of Civil Procedure.

/s Stewart D. Matthews
E. Todd Tracy
Stewart D. Matthews
Andrew G. Counts

Pursuant to the Federal Rules of Civil Procedure, Plaintiffs provide the following list of retained and non-retained experts which the Plaintiffs may call on to testify in this matter. All experts are available for depositions to provide their opinions.

Plaintiffs reserve the right to supplement this designation with additional designations of experts within the time limits imposed by the Court, or any alterations of same by subsequent court order or agreement of the parties, or pursuant to the Federal Rules of Civil Procedure. Plaintiffs reserve the right to call any experts designated by way of Disclosure or formal designations and by supplements thereto by any parties to this lawsuit, and Plaintiffs reserve the right to call undesignated rebuttal expert witnesses, whose testimony cannot reasonably be foreseen until the presentation of the evidence in this case.

Additionally, Plaintiffs reserve the right to elicit any expert opinion or lay opinion testimony at the time of trial which would be truthful, which would be of benefit to the jury to determine material issues of fact, and which would not violate any existing court order or the Federal Rules of Civil Procedure.

Lastly, Plaintiffs will call any individual(s) designated by the Defendants as its corporate representative(s).

Retained Experts

Rod Ellis

Analysis, Inc.

8225 Boca Ciega Dr.

St. Pete Beach, FL 33706

(970) 243-8585

-Mr. Ellis' knowledge, skill, experience, training and education are addressed in his report and attachments to his report, and he will address those areas set forth in his provided report, as well as his deposition testimony to be given in the future.

Mike Andrews, Ph.D

Complete Accident Reconstruction Service, Inc.

4128 Aztec Court

Granbury, TX 76048

(817) 578-3777

-Dr. Andrews' knowledge, skill, experience, training and education are addressed in his report and attachments to his report, and he will address those areas set forth in his provided report, as well as his deposition testimony to be given in the future.

Ralph D. Scott, Jr., Ph.D

Economic and Financial Consulting Group, Inc.

6 Richland Hills Cove

Conway, AR 72034

(501) 327-5826

-Dr. Scott's knowledge, skill, experience, training and education are addressed in his report and attachments to his report, and he will address those areas set forth in his provided report, as well as his deposition testimony to be given in the future.

Non-Retained Experts

Plaintiffs reserve the right to supplement Plaintiffs' responses as discovery and Plaintiffs' investigation continues.

Corporate Representative for Parmar Trucklines

- To the extent that any of Defendant's corporate representatives have the requisite scientific, technical, or other specialized knowledge which might assist the jury to understand the evidence or to determine a fact at issue, and to the extent that any of Defendant's corporate representatives are adjudged by the Court to be qualified by knowledge, skill, experience, training, or education and are allowed to testify to the jury, Plaintiffs hereby designate such individuals for a limited purpose. Plaintiffs do so, however, without conceding or acknowledging that any of the corporate representatives are qualified, or that any of the corporate representatives' proposed testimony is admissible, relevant, and/or truthful. Indeed, Plaintiffs retain the right to challenge any of the proposed corporate representatives as experts by any manner or means within the Rules of Civil Procedure and/or the Rules of Evidence.

With this understanding, the Plaintiffs list the corporate representative(s) who is introduced to the venire panel and/or who is used at trial as the corporate representative for Parmar Trucklines at trial. The person's name, address and telephone number cannot be provided with specificity since his/her identity is unknown to counsel for Plaintiffs.

Corporate Representative for

UPS Ground Freight, Inc. A/K/A United Parcel Service

- To the extent that any of Defendant's corporate representatives have the requisite scientific, technical, or other specialized knowledge which might assist the jury to understand the evidence or to determine a fact at issue, and to the extent that any of Defendant's corporate representatives are adjudged by the Court to be qualified by knowledge, skill, experience, training, or education and are allowed to testify to the jury, Plaintiffs hereby designate such individuals for a limited purpose. Plaintiffs do so, however, without conceding or acknowledging that any of the corporate representatives are qualified, or that any of the corporate representatives' proposed testimony is admissible, relevant, and/or truthful. Indeed, Plaintiffs retain the right to challenge any of the proposed corporate representatives as experts by any manner or means within the Rules of Civil Procedure and/or the Rules of Evidence.

With this understanding, the Plaintiffs list the corporate representative(s) who is introduced to the venire panel and/or who is used at trial as the corporate representative for UPS Ground Freight, Inc. A/K/A United Parcel Service at trial. The person's name, address and telephone number cannot be provided with specificity since his/her identity is unknown to counsel for Plaintiffs.

Various employees including but not limited to Kenneth R Givens, the Custodian of Records and/or current Custodian of Records for

Larry R Linville, #0009

Cedrick Green, #3430

Lt. J. Oliveria, #3261

William Bryce Wardlaw, #3285

Olive Branch Fire Department

9245 Pigeon Roost Rd.

Olive Branch, MS 38654

(662) 890-7376

-Investigating Officers

-Knowledge of the records pertaining to the accident report/file.

Various employees including but not limited to the current Custodian of Records for **Northland Insurance**

Address unknown to Plaintiffs

Policy No. WN174618

-Auto insurance for the 2016 Kentworth T660 truck driven by Sharanjit Parmar.

Various employees including but not limited to the current Custodian of Records for
Liberty Mutual Insurance

Address unknown to Plaintiffs

Policy No. A12-C21092036586

-Auto insurance for the 2016 Ford F-150 Freightline Cascadia UPS truck by James Capwell.

Various employees including but not limited to the Custodian of Records for
Lazer Towing

5250 Hacks Cross Rd.

Olive Branch, MS 38654

(662) 893-3310

-Towed the 2003 Chevrolet Impala driven by Andriana Hall from the accident scene to their storage facility.

Various employees including but not limited to the Custodian of Records for
Davenport Towing and Recovery

Plaintiffs believe address is:

6969 MS-161

Walls, MS 38680

(662) 781-1463

-Towed the 2016 Ford F-150 Freightline Cascadia UPS truck from the accident scene to their storage facility.

Various employees including but not limited to Jeff Pounders, the Custodian of Records and/or current Custodian of Records for

Dr. Christopher Long, Ph.D., DABFT

Jeff Pounders, CMEI

Desoto County Coroner's Office

365 Losher St.

Hernando, MS 38632

(662) 429-1470

-Knowledge of the records pertaining to the Death Investigation report of Andriana Hall, Deceased.

Various employees including but not limited to the current Custodian of Funeral Records for

Westbrooks Funeral Home

607 West Vine Street

Aberdeen, MS 39730

(662) 369-9351

-Knowledge of reasonable and/or necessary expenses associated with the funeral of Andriana Hall, Deceased.

Medical Providers

The medical providers listed below are non-retained experts but may have scientific, technical, or other specialized knowledge and/or information considered expert in nature based on their knowledge, skill, experience, training, and/or education in the medical field and based on their care and/or treatment of Plaintiff. Plaintiffs reserves the right to elicit such expert testimony from these healthcare providers, including the medical necessity of the treatment they rendered to Plaintiff, and the reasonable and necessary costs of such treatment, past and/or future.

These healthcare providers may further provide expert testimony regarding the necessity of future medical treatment for Plaintiff's injuries sustained in the accident made the basis of this suit.

They may also address past, present, and/or future complications, costs, impairment, disfigurement, physical limitations, and/or emotional aspects associated with Plaintiff's injuries. Their testimony may include information on medical history, diagnosis, treatment rendered, and prognosis. Each provider may also give testimony as to their mental impressions on the history they took from Plaintiff and others who provided such information, the medical care and treatment they rendered to Plaintiff, the diagnosis of the injury and the necessity and reasonableness for past medical and future medical care, and the prognosis of any impairment or limitations that Plaintiff may have in the future. Their opinions and impressions are, for the most part, contained in their medical records and billing records.

Plaintiffs further reserve the right to elicit testimony from these healthcare providers that the treatments they rendered to Plaintiff were reasonable and/or necessary due to injuries resulting from the accident made the basis of this lawsuit and/or that the accident made the basis of this lawsuit was the producing cause of Plaintiff's injuries. Further, Plaintiffs reserve the right to elicit testimony from these healthcare providers that Plaintiff's injuries were not pre-existing.

It is anticipated that some medical experts may be called upon to review other healthcare providers medical records and may be called upon to give expert testimony as to the reasonableness and the necessity of medical care and treatment provided by themselves or by other medical care healthcare providers with which the expert is familiar, as well as fees and charges in the community.

Lastly these treating physicians and health care providers may testify about Plaintiff's struggles after the accident, the pain endured as a result of the injuries, the severity of the injuries, the mental, physical, and/or emotional effect the injuries have had on Plaintiffs and/or loved ones, and the mental, physical, and/or emotional effect that Plaintiff's injuries have had on any and all loved ones, to the extent that those effects could be observed. They may also address physical impairment and/or disfigurement caused by the injuries.

Various employees including but not limited to EMT's, Paramedics, nurses, residents, staff, therapists and Debra McCord, the Custodian of Medical Records, the Custodian of Billing Records and/or current Custodian of Medical Records and Custodian of Billing Records for

Caleb Flanigan, EMT-Paramedic

Olive Branch Ambulance

9200 Pigeon Roost Rd.

Olive Branch, MS 38654

(662) 895-4111

-Knowledge of reasonable and/or necessary medical treatment and/or expenses associated with the injuries to Andriana Hall, Deceased.

Defendant's Retained Experts

To the extent that any of Defendant's experts have the requisite scientific, technical, or other specialized knowledge which might assist the jury to understand the evidence or to determine a fact at issue, and to the extent that any of Defendant's experts are adjudged by the Court to be qualified by knowledge, skill, experience, training, or education and are allowed to testify to the jury, Plaintiffs hereby designate such individuals for a limited purpose. Plaintiffs do so, however, without conceding or acknowledging that any of the experts are qualified, or that any of the experts' proposed testimony is admissible, relevant, and/or truthful. Indeed, Plaintiffs retain the right to challenge any of the proposed experts by any manner or means within the Rules of Civil Procedure and/or the Rules of Evidence.

